

Deutsche Bank Trust Company Americas
in its capacity as successor indenture trustee
for certain series of Senior Notes, et al.,

Plaintiff(s)

-against-

Adaly Opportunity Fund TD Securities
Inc. c/o Adaly Investment Management Co., et al.,

Defendant(s)

AFFIDAVIT OF SERVICE

Index No. 1:11-cv-04784

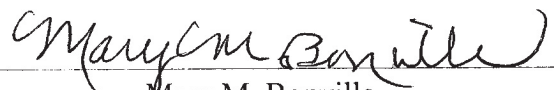
State of New York)

ss:

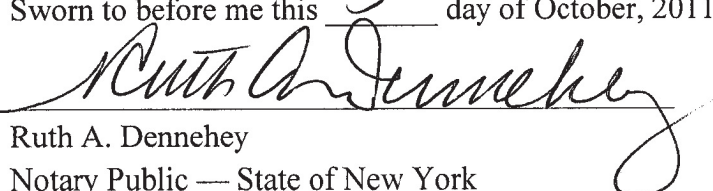
County of Albany)

Mary M. Bonville, being duly sworn, deposes and says:

Deponent is over the age of eighteen and is a resident of New York State and is not a party to this action. That on October 5, 2011 at approximately 1:40 PM deponent served the following specific papers pursuant to Section 303 of the Limited Liability Company Law: Summons in a Civil Action and Amended Complaint with Exhibits, that the party served was Alson Capital Partners, LLC, a foreign limited liability company, one of the defendants in this action, by personally serving two copies of the aforesaid papers at the office of the NYS Secretary of State located at 99 Washington Avenue, 6th Floor, in the City of Albany, New York by delivering to and leaving the papers with Donna Christie, a white female with blonde hair, being approximately 36-45 years of age; height of 5'4" - 5'8", weight of 130-160 lbs., being an authorized person in the Corporation Division of the Department of State and empowered to receive such service. That at the time of making such service, deponent paid the fee prescribed by Law in the amount of \$40.00.


Mary M. Bonville

Sworn to before me this 5th day of October, 2011


Ruth A. Dennehey
Notary Public — State of New York
Qualified in Albany County
Registration No. 01DE4729775
Commission Expires: 11-30-2014